

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE NO. 2007- 57

Award of contract to Nelson\Nygaard Consulting Associates for transportation planning services relating to the proposed development at or near the Takoma Metro Station.

WHEREAS, the City of Takoma Park is on record in opposition to the current plans for the sale and development of open space at the Takoma Metro Station on the grounds that the proposed development and reconfiguration of the Takoma Metro site reduces, rather than enhances, the City's transit options and the proposed development will adversely affect the City and its residents; and

WHEREAS, by Ordinance No. 2006-17, adopted on May 8, 2006, the Council authorized the City to enter into a contract with Nelson\Nygaard Consulting Associates for transportation-related research, planning, analysis, and expert testimony services regarding the Takoma Metro Station development on a time and materials basis; and

WHEREAS, the City was satisfied with the work performed by Nelson\Nygaard Consulting Associates in 2006 and now has need of additional expert transportation planning services in order to further develop alternatives to the current Takoma Metro Station site development in preparation for the WMATA board meeting and possible vote on the Takoma Metro Station site development plans on or about October 25, 2007; and

WHEREAS, the services provided by Nelson\Nygaard Consulting Associates constitute professional services and are exempt from the requirement of competitive bidding under section 7.08.070.B of the *Takoma Park Code*; and

WHEREAS, prior to the City retaining Nelson\Nygaard Consulting Associates in 2006, City staff contacted more than three firms to determine their availability to work with the City on the development of alternatives to the Takoma Metro site development for presentation at a WMATA-sponsored planning workshop; and

WHEREAS, Nelson\Nygaard Consulting Associates was the only firm that did not have a conflict of interest, as the other firms contacted regularly work with WMATA on other projects; and

WHEREAS, based on these contacts, the City Manager made a written determination, pursuant to section 7.08.080 of the *Takoma Park Code*, that three qualified sources for the provision of these services do not exist and the Council hereby adopts that determination.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND.

SECTION 1. The City Manager is authorized to enter into a professional services contract with Nelson\Nygaard Consulting Associates for transportation research, analysis, and planning services, including, specifically, additional work on alternatives to the current plans for development at or near the Takoma Metro Station, in an amount not to exceed \$20,000. Funds to cover these contract costs shall be charged to General Government Contracts Account 1120-6140.

SECTION 2. This Ordinance shall be effective immediately upon adoption of this Ordinance.

ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 15th DAY OF OCTOBER, 2007, BY ROLL-CALL VOTE AS FOLLOWS:

Aye: Porter, Austin-Lane, Barry, Clay, Seamens, Snipper, Williams
Nay:
Absent:
Abstain: